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MARCIA M. WALDRON  
CLERK

**UNITED STATES COURT OF APPEALS**

FOR THE THIRD CIRCUIT  
21400 UNITED STATES COURTHOUSE  
601 MARKET STREET  
PHILADELPHIA 19106-1790

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March 2, 2007

Peter T. Dalleo, Clerk  
United States District Court  
J. Caleb Boggs Federal Building  
Lockbox 18  
844 King Street  
Wilmington, DE 19801-3570

Re: Poole, et al v. Taylor, et al  
D. Del. No. (99-cv-0635-SLR)

Dear Mr. Dalleo:

A motion for relief from judgment on order under Federal Rules of Appellate Procedure 60(b) was attached to the notice of appeal filed in the District Court on February 13, 2006. We are forwarding the attached motion for filing in the District Court.

To the extent that the appellant is requesting relief pursuant to F.R.C.P. 60(b), that request must be addressed to the District Court. Pursuant to Rule 1, Federal Rules of Civil Procedure, Rule 60(b) cannot be used as a basis for action by this Court. There is not rule similar to Rule 69(b) in the Federal Rules of Appellate Procedure which govern this type of proceeding in this Court.

Very truly yours,

Marcia M. Waldron, Clerk

By: /s/ Bradford A. Baldus  
Bradford A. Baldus  
Senior Legal Advisor to the Clerk

Enclosure  
cc: KEYBOARD() (w/out enclosure)